Message Text

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INFO OCT-01 ISO-00 L-03 COME-00 EB-07 TRSE-00 OMB-01 H-01 STR-04 PM-04 NSC-05 SP-02 SS-15 CIAE-00 INR-07 NSAE-00 NEAE-00 /060 W

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P R 191338Z JAN 77 FM AMEMBASSY KUWAIT TO SECSTATE WASHDC PRIORITY 7097 INFO AMEMBASSY ABU DHABI AMEMBASSY DAMASCUS AMEMBASSY DOHA

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E.O. 11652: N/A TAGS: ETRD

SUBJECT: ARAB BOYCOTT: DISCRIMINATORY REQUESTS

REF: STATE 10642

1. DCM MADE ORAL DEMARCHE PER REFTEL JANUARY 19 TO ABDULLA ABDULRAZZAK, MFA OFFICER IN CHARGE OF ARAB ECONOMIC AFFAIRS. HE EMPHASIZED THAT KUWAIT BOYCOTT OF ISRAEL OFFICE QUESTIONS PUT TO GENERAL MOTORS, TEXACO AND INTERNATIONAL HARVESTER APPEAR TO CONSTITUTE A CASE OF APPLICATION OF RELIGIOUS CRITERIA FOR BOYCOTT PURPOSES. DCM SAID THAT USG HAD NOTED WITH SATISFACTION SEVERAL RECENT PUBLIC STATEMENTS BY GOK SPOKESMEN THAT RELIGION PER SE PLAYS NO ROLE IN APPLICATION OF BOYCOTT RULES. DCM REQUESTED THAT ABDULRAZZAK OBTAIN OFFICIAL GOK RESPONSE TO THREE POINTS LISTED PARA 3 REFTEL.

2. ABDULRAZZAK SAID OFFICIAL REPLY MUST AWAIT CONSIDERATION OF EMBASSY NOTE ON THE SUBJECT, ALTHOUGH HE COULD REASSURE US THAT GOK BOYCOTT OFFICE DOES NOT DISCRIMINATE ALONG RELIGIOUS LINES. SPEAKING PERSONALLY, HE WONDERED WHETHER THE AJC MIGHT NOT BE A LIMITED OFFICIAL USE

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GOOD EXAMPLE OF ORGANIZATIONS WITH MIXED RELIGIOUS AND POLITICAL PURPOSES. HE THOUGHT IT NOT UNREASONABLE TO ASK SUCH ORGANIZATIONS ABOUT THE EXTENT OF THEIR POLITICAL SUPPORT FOR ISRAEL. DCM POINTED OUT THAT THE BOYCOTT OFFICE QUESTIONS TO GENERAL MOTORS, ETC. IMPLIED THAT THE BOYCOTT OFFICE HAD ALREADY REACHED A CONCLUSION THAT THE AJC IS NOT A STRICTLY RELIGIOUS ORGANIZATION AS THE U.S. GOVERNMENT CONSIDERS IT TO BE. DCM ADDED THAT IT WOULD BE

MOST DIFFICULT TO PERSUADE MANY AMERICANS THAT KUWAITI APPLICATION OF BOYCOTT PRINCIPLES CONTAINS NO DISCRIMINATORY ASPECT IF GOK CONTINUES TO PURSUE QUESTIONS REGARDING AJC OWNERSHIP OF CORPORATE STOCK.

- 4. ABDULRAZZAK INQUIRED WHETHER KUWAIT BOYCOTT OFFICE QUESTIONS IN AND OF THEMSELVES, AND DISREGARDING FACT THAT AJC WAS THE OBJECT IN THIS PARTICULAR CASE, CONSTITUTE VIOLATION OF AMERICAN LAWS. IN OTHER WORDS, IS MEMBERSHIP OF BOARDS OF DIRECTORS AND IDENTITY OF SHAREHOLDERS PROTECTED INFORMATION OR CAN THESE FACTS BE ASCERTAINED THROUGH PUBLIC OR COMMERCIAL CHANNELS. DCM RESPONDED THAT INDIVIDUALS PURCHASING SHARES WOULD SEEM TO HAVE A RIGHT OF PRIVACY UNLESS THEY WERE OFFICE HOLDERS AND QUESTION OF CONFLICT OF PRIVATE WITH PUBLIC INTEREST AROSE. ABDULRAZZAK SAID THAT, IF THE QUESTIONS ASKED BY THE BOYCOTT OFFICE WERE INADMISSIBLE EVEN IF NOT RELIGIOUS ELEMENT WERE INVOLVED, SUCH INFORMATION WOULD BE MOST HELPFUL TO HIM IN WORKING TO REMOVE AN IRRITANT IN USG/GOK RELATIONS. DCM REITERATED THAT IT WAS RELIGIOUS CONNECTION IN THIS CASE, AND FACT THAT REQUESTS ORIGINATED FROM BOYCOTT OFFICE. THAT POSED PARTICULARLY SERIOUS PROBLEMS FOR U.S. CORPORATIONS INVOLVED AND FOR USG.
- 5. ACTION REQUESTED: BEFORE FORMALIZING OUR DEMARCHE BY DIPLOMATIC NOTE, EMBASSY WOULD APPRECIATE DEPARTMENT'S GUIDANCE, BY PRIORITY CABLE, ON WHETHER AND HOW TO RESPOND TO ABDULRAZZAK'S QUESTION. IN ESSENCE WHAT WE WOULD NEED IS STATEMENT TO WHAT EXTENT AND ON WHAT GROUNDS DEPT WOULD CONSIDER IT UNACCEPTABLE CONDUCT FOR A FOREIGN GOVERNMENT AGENCY TO REQUEST OF PRIVATE AMERICAN CORPORATIONS INFORMATION CONCERNING THE NUMBER OF SHARES HELD, OR LIMITED OFFICIAL USE

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DIRECTORS' SEATS OCCUPIED, BY IDENTIFIED SHAREHOLDERS? MAESTRONE

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